

Ashley M. Simonsen (SBN 275203)
COVINGTON & BURLING LLP
1999 Avenue of the Stars
Los Angeles, CA 90067
Telephone: (424) 332-4800
Email: asimonsen@cov.com

*Attorney for Defendants Meta Platforms, Inc.
f/k/a Facebook, Inc.; Facebook Holdings, LLC;
Facebook Operations, LLC; Facebook
Payments, Inc.; Facebook Technologies, LLC;
Instagram, LLC; Siculus, Inc.; and Mark Elliot
Zuckerberg*

*Additional parties and counsel listed on
signature pages*

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

IN RE: SOCIAL MEDIA ADOLESCENT
ADDICTION/PERSONAL INJURY PRODUCTS
LIABILITY LITIGATION

THIS FILING RELATES TO:

ALL ACTIONS

MDL No. 3047

Case No. 4:22-md-03047-YGR

Honorable Yvonne Gonzalez Rogers

**STIPULATION AND [PROPOSED]
ORDER SETTING BRIEFING SCHEDULE
AND PAGE LIMITS FOR DEFENDANTS'
MOTION TO DISMISS UNDER SECTION
230 AND THE FIRST AMENDMENT**

Pursuant to Civil Local Rules 7-11 and 7-12, the Parties, through their undersigned counsel, hereby stipulate to, and respectfully request that the Court enter an order adopting, the following briefing schedule and allocation of page limits for Defendants' Motion to Dismiss Plaintiffs' Priority Claims Asserted in the Amended Master Complaint under Section 230 of the Communications Decency Act, 47 U.S.C. § 230 *et seq.*, and the First Amendment to the United States Constitution. The Parties declare in support of this request:

WHEREAS, this Court has indicated that it would set a briefing schedule for Defendants' Motion to Dismiss on Section 230 and the First Amendment after the United States Supreme Court issued a decision in *Gonzalez v. Google LLC*, 598 U.S. ____ (2023), *see* Case Management Order No. 3 (Dkt. 111) at 2–3; Dec. 14, 2022 Case Management Conference Tr. at 9:16–21, 16:2–14 (Dkt. 123);

WHEREAS, the Supreme Court issued its decision in *Gonzalez v. Google* on May 18, 2023;

WHEREAS, on May 18, 2023, the Parties notified this Court that they were meeting and conferring on a proposed briefing schedule and page allocation for Defendants' Motion to Dismiss on Section 230 and the First Amendment;

WHEREAS, the Parties have met and conferred, and agree to a briefing schedule and allocation of page limits for Defendants' Motion to Dismiss on Section 230 and the First Amendment;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, SUBJECT TO THE COURT'S APPROVAL, THAT:

1. Defendants' Motion to Dismiss on Section 230 and the First Amendment shall be filed no later than June 27, 2023;
2. Plaintiffs' Opposition shall be filed no later than July 25, 2023;
3. Defendants' Reply shall be filed no later than August 15, 2023.
4. The page limits set by Civil Local Rule 7-4(b) shall apply to each brief.

1 DATED: May 23, 2023

Respectfully submitted,

2
3 /s/ Previn Warren

4 PREVIN WARREN
5 **MOTLEY RICE LLC**
6 401 9th Street NW, Suite 630
7 Washington, DC 20004
8 Telephone: +1 (202) 386-9610
9 Email: pwarren@motleyrice.com

10 LEXI J. HAZAM
11 **LIEFF CABRASER HEIMANN &**
12 **BERNSTEIN, LLP**
13 275 BATTERY STREET, 29TH FLOOR
14 SAN FRANCISCO, CA 94111-3339
15 Telephone: +1 (415) 956-1000
16 Email: lhazam@lchb.com

17 CHRISTOPHER A. SEEGER
18 CHRISTOPHER L. AYERS
19 **SEEGER WEISS, LLP**
20 55 CHALLENGER ROAD, 6TH FLOOR
21 RIDGEFIELD PARK, NJ 07660
22 Telephone: +1 (973) 639-9100
23 Email: cseeger@seegerweiss.com
24 Email: cayers@seegerweiss.com

25 Co-Lead Counsel

26 JENNIE LEE ANDERSON
27 **ANDRUS ANDERSON, LLP**
28 155 MONTGOMERY STREET, SUITE 900
SAN FRANCISCO, CA 94104
Telephone: +1 (415) 986-1400
Email: jennie@andrusanderson.com

Liaison Counsel

JOSEPH G. VANZANDT
BEASLEY ALLEN CROW METHVIN
PORTIS & MILES, P.C.
234 COMMERCE STREET
MONTGOMERY, AL 36103
Telephone: + 1 (334) 269-2343
Email: joseph.vanzandt@beasleyallen.com

1 EMILY C. JEFFCOTT
2 **MORGAN & MORGAN**
3 220 W. GARDEN STREET, 9TH FLOOR
4 PENSACOLA, FL 32502
5 Telephone: + 1 (850) 316-9100
6 Email: ejeffcott@forthepeople.com

7 RON AUSTIN
8 **RON AUSTIN LAW**
9 400 Manhattan Blvd.
10 Harvey, LA 70058
11 Telephone: + 1 (504) 227-8100
12 Email: raustin@ronaustinlaw.com

13 GLENN DRAPER
14 **SOCIAL MEDIA VICTIMS LAW**
15 **CENTER**
16 520 PIKE STREET, SUITE 1125
17 SEATTLE, WA 98101
18 Telephone: + 1 (206) 741-4862
19 Email: glenn@socialmediavictims.org

20 JAMES J. BILSBORROW
21 **WEITZ & LUXENBERG, PC**
22 700 BROADWAY
23 NEW YORK, NY 10003
24 Telephone: + 1 (212) 558-5500
25 Facsimile: + 1 (212) 344-5461
26 Email: jbilsborrow@weitzlux.com

27 PAIGE BOLDT
28 **WATTS GUERRA LLP**
4 Dominion Drive, Bldg. 3, Suite 100
San Antonio, TX 78257
Telephone: + 1 (210) 448-0500
Email: PBoldt@WattsGuerra.com

THOMAS P. CARTMELL
WAGSTAFF & CARTMELL LLP
4740 Grand Avenue, Suite 300
Kansas City, MO 64112
Telephone: + 1 (816) 701 1100
Email: tcartmell@wcllp.com

JAYNE CONROY
SIMMONS HANLY CONROY, LLC
112 MADISON AVENUE, 7TH FLOOR
NEW YORK, NY 10016
Telephone: + 1 (917) 882-5522
Email: jconroy@simmonsfirm.com

CARRIE GOLDBERG
C.A. GOLDBERG, PLLC
16 Court Street
Brooklyn, NY 11241
Telephone: + 1 (646) 666-8908
Email: carrie@cagoldberglaw.com

KIRK GOZA
GOZA & HONNOLD, LLC
9500 Nall Avenue, Suite 400
Overland Park, KS 66207
Telephone: + 1 (913) 451-3433
Email: kgoza@gohonlaw.com

SIN-TING MARY LIU
**AYLSTOCK WITKIN KREIS &
OVERHOLTZ, PLLC**
17 EAST MAIN STREET, SUITE 200
PENSACOLA, FL 32502
Telephone: + 1 (510) 698-9566
Email: mliu@awkolaw.com

ANDRE MURA
GIBBS LAW GROUP, LLP
1111 BROADWAY, SUITE 2100
OAKLAND, CA 94607
Telephone: + 1 (510) 350-9717
Email: amm@classlawgroup.com

EMMIE PAULOS
LEVIN PAPANTONIO RAFFERTY
316 SOUTH BAYLEN STREET, SUITE 600
PENSACOLA, FL 32502
Telephone: + 1 (850) 435-7107
Email: epaulos@levinlaw.com

1 ROLAND TELLIS
2 DAVID FERNANDES
3 **BARON & BUDD, P.C.**
4 15910 Ventura Boulevard, Suite 1600
5 Encino, CA 91436
6 Telephone: + 1 (818) 839-2333
7 Facsimile: + 1 (818) 986-9698
8 Email: rtellis@baronbudd.com
9 Email: dfernandes@baronbudd.com

10 ALEXANDRA WALSH
11 **WALSH LAW**
12 1050 Connecticut Avenue, NW, Suite 500
13 Washington D.C. 20036
14 Telephone: + 1 (202) 780-3014
15 Email: awalsh@alexwalshlaw.com
16 MICHAEL M. WEINKOWITZ
17 **LEVIN SEDRAN & BERMAN, LLP**
18 510 WALNUT STREET, SUITE 500
19 PHILADELPHIA, PA 19106
20 Telephone: + 1 (215) 592-1500
21 Email: mweinkowitz@lfsbalw.com

22 DIANDRA “FU” DEBROSSE
23 ZIMMERMANN
24 **DICELLO LEVITT**
25 505 20th Street North, Suite 1500
26 Birmingham, AL 35203
27 Telephone: + 1 (205) 855-5700
28 Email: fu@dicellolevitt.com

ROBERT H. KLONOFF
ROBERT KLONOFF, LLC
2425 SW 76TH AVENUE
PORTLAND, OR 97225
Telephone: + 1 (503) 702-0218
Email: klonoff@usa.net

HILLARY NAPPI
HACH & ROSE LLP
112 Madison Avenue, 10th Floor
New York, NY 10016
Telephone: + 1 (212) 213-8311
Email: hnappi@hrsclaw.com

1 ANTHONY K. BRUSTER
2 **BRUSTER PLLC**
3 680 North Carroll Avenue, Suite 110
4 Southlake, TX 76092
5 Telephone: + 1 (817) 601-9564
6 Email: akbruster@brusterpllc.com

7 FRANCOIS M. BLAUDEAU, MD JD
8 FACHE FCLM
9 **SOUTHERN INSTITUTE FOR**
10 **MEDICAL AND LEGAL AFFAIRS**
11 2762 B M Montgomery Street, Suite 101
12 Homewood, AL 35209
13 Telephone: + 1 (205) 564-2741
14 Email: francois@southernmedlaw.com

15 JAMES MARSH
16 **MARSH LAW FIRM PLLC**
17 31 HUDSON YARDS, 11TH FLOOR
18 NEW YORK, NY 10001-2170
19 Telephone: + 1 (212) 372-3030
20 Email: jamesmarsh@marshlaw.com

21 *Attorneys for Plaintiffs*

22 **COVINGTON & BURLING LLP**

23 */s/ Ashley M. Simonsen*

24

Ashley M. Simonsen (SBN 275203)
25 COVINGTON & BURLING LLP
26 1999 Avenue of the Stars
27 Los Angeles, CA 90067
28 Telephone: +1 (424) 332-4800
Facsimile: +1 (424) 332-4749
Email: asimonsen@cov.com

Phyllis A. Jones (*pro hac vice*)
Paul W. Schmidt (*pro hac vice*)
COVINGTON & BURLING LLP
One CityCenter
850 Tenth Street, NW
Washington, DC 20001
Telephone: +1 (202) 662-6000
Facsimile: +1 (202) 662-6291
Email: pajones@cov.com
Email: pschmidt@cov.com

Emily Johnson Henn (SBN 269482)
COVINGTON & BURLING LLP
3000 El Camino Real
5 Palo Alto Square, 10th Floor
Palo Alto, CA 94306
Telephone: +1 (650) 632-4700
Facsimile: +1 (650) 632-4800
Email: ehenn@cov.com

*Attorneys for Defendants Meta Platforms, Inc.
f/k/a Facebook, Inc.; Facebook Holdings,
LLC; Facebook Operations, LLC; Facebook
Payments, Inc.; Facebook Technologies, LLC;
Instagram, LLC; Siculus, Inc.; and Mark
Elliot Zuckerberg*

MUNGER, TOLLES & OLSEN LLP

/s/ Jonathan H. Blavin

Jonathan H. Blavin (SBN 230269)
MUNGER, TOLLES & OLSON LLP
560 Mission Street, 27th Floor
San Francisco, CA 94105-3089
Telephone: (415) 512-4000
Facsimile: (415) 512-4077

Rose L. Ehler (SBN 29652)
Victoria A. Degtyareva (SBN 284199)
Ariel T. Teshuva (SBN 324238)
MUNGER, TOLLES & OLSON LLP
350 South Grand Avenue, 50th Floor
Los Angeles, CA 90071-3426
Telephone: (213) 683-9100
Facsimile: (213) 687-3702

Lauren A. Bell, pro hac vice
MUNGER, TOLLES & OLSON LLP
601 Massachusetts Avenue, NW Street,
Suite 500 E
Washington, D.C. 20001-5369
Telephone: (202) 220-1100
Facsimile: (202) 220-2300

Attorneys for Defendant Snap Inc.

KING & SPALDING LLP

/s/ Geoffrey M. Drake

Geoffrey M. Drake
KING & SPALDING LLP
1180 Peachtree Street, NE, Suite 1600
Atlanta, GA 30309
Telephone: + 1 (404) 572-4600
Facsimile: + 1 (404) 572-5100
Email: gdrake@kslaw.com

FAEGRE DRINKER LLP

/s/ Andrea Roberts Pierson

Andrea Roberts Pierson
FAEGRE DRINKER LLP
300 North Meridian Street, Suite 2500
Indianapolis, IN 46204
Telephone: + 1 (317) 237-0300
Facsimile: + 1 (317) 237-1000
Email: andrea.pierson@faegredrinker.com

*Attorneys for Defendants TikTok Inc. and
ByteDance Inc.*

**WILSON SONSINI GOODRICH &
ROSATI**

/s/ Lauren Gallo White

Lauren Gallo White
lwhite@wsgr.com
Samantha A. Machock
smachock@wsgr.com
WILSON SONSINI GOODRICH & ROSATI
One Market Plaza, Spear Tower, Suite 3300
San Francisco, CA 94105
Telephone: (415) 947-2000
Facsimile: (415) 947-2099

Brian M. Willen

bwillen@wsgr.com

WILSON SONSINI GOODRICH & ROSATI

1301 Avenue of the Americas, 40th Floor

New York, New York 10019

Telephone: (212) 999-5800

Facsimile: (212) 999-5899

Christopher Chiou

cchiou@wsgr.com

WILSON SONSINI GOODRICH & ROSATI

633 West Fifth Street

Los Angeles, CA 90071-2048

Telephone: (323) 210-2900

Facsimile: (866) 974-7329

*Attorneys for Defendants YouTube LLC,
Google LLC, and Alphabet Inc.*

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____

Hon. Yvonne Gonzalez Rogers
United States District Judge

ATTESTATION

I, Ashley M. Simonsen, hereby attest, pursuant to N.D. Cal. Civil L.R. 5-1, that concurrence to the filing of this document has been obtained from each signatory hereto.

DATED: May 23, 2023

/s/ Ashley M. Simonsen

Ashley M. Simonsen